IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 21076 of 2007(H)

PETITIONER:

PRAKASAN, P.,
LECTURER IN ELECTRONICS,
GOVT.POLYTECHNIC COLLEGE,
PERINTHALMANNA.

BY ADV. SRI.V.AJITH NARAYANAN

RESPONDENTS:

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1. THE DIRECTOR OF TECHNICAL EDUCATION
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM -23.

2. STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE SENIOR JOINT DIRECTOR (PS)
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM-23

4. ADMINISTRATIVE OFFICER,
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM-23.

BY GOVT.PLEADER SMT.M.R.SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP.21076/2007)

EXT.P1: TRUE COPY FO ORDER DT. 10/9/2004.

EXT.P2: TRUE COPY OF JUDGMENT DT. 24/5/2007 IN WP.15429/2007.

EXT.P3: TRUE COPY OF ORDER DT. 29/5/2007.

EXT.P4: TRUE COPY OF REPRESENTATION DT. 8/6/2007.

EXT.P5: TRUE COPY OF ORDER DT. 15/6/2007.

EXT.P6: TRUE COPY OF ORDER OF R4 DT. 20/6/2007.

EXT.P7: TRUE COPY OF ARGUMENT N OTE SUBMITTED BEFORE R2.

EXT.P8: TRUE COPY OF GOVT. ORDER DT. 29/6/2007.

EXT.P9: TRUE COPY OF VACANCY REPORT

EXT.P10: DO.

A.K. Basheer, J.

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W.P(C) No. 21076 of 2007

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Dated this the 16th day of August, 2007.

J U D G M E N T

Petitioner who is a Lecturer in Electronics in the Technical Education Department, was ordered to be transferred from Government Poly Technic College, Perinthalmanna to Government Poly Technic College at Meenangadi. The said order of transfer has been impugned by the petitioner on various grounds. It is the admitted position that petitioner has already assumed charge at Meenangadi in the forenoon of August 14, 2007.

2. Having heard learned counsel for the petitioner and having perused the materials available on record, I am satisfied that the Department has to be directed to consider the grievance raised by the petitioner in the light of the relevant rules governing transfers.

3. Learned counsel submits that petitioner is prepared to submit a representation, highlighting the relevant aspects of the isuse. The only prayer is to issue a direction to the authority concerned to take a decision in the matter expeditiously.

4. In the peculiar facts and circumstances I am satisfied that the prayer made by the petitioner is only just and reasonable.

5. Therefore the writ petition is disposed of with the following directions:

6. Petitioner shall submit a representation highlighting his grievances and all the relevant aspects of the issue before respondent No.1 within two weeks from today. Respondent No.2 shall consider and pass orders on the said representation strictly on its merit and in

accordance with law as expeditiously as possible at any rate within six weeks from the date of receipt thereof. It shall be ensured by respondent No.1 that petitioner and any other employee who is likely to be affected by the order that may be passed by him are afforded sufficient opportunity to be heard before any decision is taken in the matter.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer
Judge.

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